

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>NELSON RODRIGUEZ</b>	:	<b>CIVIL ACTION</b>
	:	
<b>Plaintiff,</b>	:	
<b>v.</b>	:	
	:	<b>No. 08-4470</b>
<b>MICHAEL J. ASTRUE,</b>	:	
<b>Commissioner of Social Security,</b>	:	
	:	
<b>Defendant.</b>	:	

**ORDER**

AND NOW, this 18<sup>th</sup> day of March, 2010, upon consideration of plaintiff's motion for summary judgment and request for review [paper no. 7] and the defendant's response thereto [paper no. 10], and after careful review of the Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski, it is **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Plaintiff's motion for summary judgment and request for review is **DENIED**; and
3. Judgment shall be entered in this matter in favor of the **DEFENDANT**.

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/s/ Norma L. Shapiro  
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S.J.